



9-13-04

TFW

Attorney Docket No. 340158002US1

Express Mail Label EV342447693US

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: BEASLEY *ET AL.*

APPLICATION NO.: 10/700,788

FILED: NOVEMBER 3, 2003

FOR: **WIRELESS BASE STATION NEIGHBOR DISCOVERY  
IN A COMMUNICATION SYSTEM SUCH AS A  
SYSTEM EMPLOYING SHORT-RANGE FREQUENCY  
HOPPING SCHEME**

EXAMINER: NOT YET AVAILABLE

ART UNIT: 2681

CONF. NO: 5496

**Information Disclosure Statement Within Three Months of  
Application Filing or Before First Action – 37 C.F.R. § 1.97(b)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. Timing of Submission

This information disclosure is being filed within three months of the filing date of this application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever occurs last [37 C.F.R. § 1.97(b)]. The references listed on the enclosed Form PTO-1449 (modified) may be material to the examination of this application; the Examiner is requested to make them of record in the application.

2. Cited Information

☒ Copies of the following references are enclosed:

- ☐ All cited references
- ☐ References marked by asterisks
- ☒ The following: all foreign patents and non-patent literature.

☐ Copies of the following references can be found in parent U.S. Application No. :

- ☐ All cited references
- ☐ References marked by asterisks
- ☐ The following:

- ☒ This application was filed after 30 June 2003 and no copies of U.S. patents nor published applications are enclosed (See Notice of Deputy Commissioner Kunin on 11 July 2003).
- ☐ The following references are not in English. For each such reference, the undersigned has enclosed (i) a translation of the reference; (ii) a copy of a communication from a foreign patent office or International Searching Authority citing the reference, (iii) a copy of a reference which appears to be an English-language counterpart, or (iv) an English-language abstract for the reference prepared by a third party. Applicant has not verified that the translation, English-language counterpart or third-party abstract is an accurate representation of the teachings of the non-English reference, though, and reserves the right to demonstrate otherwise.
  - ☐ All cited references
  - ☐ References marked by ampersands
  - ☐ The following:

3. Effect of Information Disclosure Statement (37 C.F.R. § 1.97(h))

This Information Disclosure Statement is not to be construed as a representation that: (i) a search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the cited information is, or is considered to be, material to patentability. In addition, applicant does not admit that any enclosed item of information constitutes prior art to the subject invention and specifically reserves the right to demonstrate that any such reference is not prior art.

4. Fee Payment

No fees are believed due because this Information Disclosure Statement is being filed before the mailing date of the first Office Action.

- ☐ Applicant further submits that no fee is due in light of the following certification under 37 C.F.R. § 1.97(e) (check only one):
  - ☐ In accordance with 37 C.F.R. § 1.97(e)(1), the undersigned hereby states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement; or
  - ☐ In accordance with 37 C.F.R. § 1.97(e)(2), the undersigned hereby states that no item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any

individual designated in 37 C.F.R. § 1.56(c), more than three months prior to the filing of this statement.

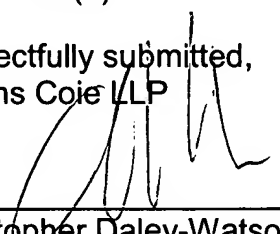
However, should the Commissioner determine that fees are due in order for this Information Disclosure Statement to be considered, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 50-0665.

5. Patent Term Adjustment (37 C.F.R. § 1.704(d))

- ☐ The undersigned states that each item of information submitted herewith was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this statement. 37 C.F.R. § 1.704(d).

Date: 9/10/04

Respectfully submitted,  
Perkins Coie LLP

  
\_\_\_\_\_  
Christopher Daley-Watson  
Registration No. 34,807

**Correspondence Address:**

Customer No. 25096  
Perkins Coie LLP  
P.O. Box 1247  
Seattle, Washington 98111-1247  
(206) 359-8000



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Attorney Docket No. 340158002US1

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Form PTO-1449 (Modified)  
(Use several sheets if necessary)

**COMPLETE IF KNOWN**

<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> Form PTO-1449 (Modified) (Use several sheets if necessary)				Application Number	10/700,788
				Confirmation Number	5496
				Filing Date	November 3, 2003
				First Named Inventor	James Beasley
				Group Art Unit	2681
				Examiner Name	Not Yet Available
				Attorney Docket No.	340158002US1
				Sheet	1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No.	U.S. Patent or Application		Name of Patentee or Inventor of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NUMBER	Kind Code (if known)			
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EXAMINER

DATE CONSIDERED

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		NUMBER	Kind Code (if known)			
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Examiner Initials*	Cite No.	Foreign Patent or Application			Name of Patentee or Applicant of Cited Document	Date of Publication or Filing Date of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
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OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume issue number(s), publisher, city and/or country where published.		
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		ECI Telecom Ltd., Company Profile, <a href="http://www.ecitele.com/company/company_profile.asp">http://www.ecitele.com/company/company_profile.asp</a> (November 5, 2002), 2 pages.		
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				Confirmation Number	5496
				Filing Date	November 3, 2003
				First Named Inventor	James Beasley
				Group Art Unit	2681
				Examiner Name	Not Yet Available
Sheet	8	340158002US1	10	Attorney Docket No.	340158002US1

OTHER PRIOR ART-NON PATENT LITERATURE DOCUMENTS			
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